



Governor

Lori F. Kaplan

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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November 14, 2003

Mr. Brian Morlok
Hilex Poly Co. LLC
1001 North Second Street
North Vernon, Indiana 47265

Re: Permit-By-Rule Status
079-17104-00015

Dear Mr. Morlok,

The application from Hilex Poly Co. LLC was received on March 27, 2003. Based on the data and information submitted and the provisions of 326 IAC 2-10 (Permit by Rule), Hilex Poly Co. LLC states that the plastic bag manufacturing operation, located at 1001 North Second Street, North Vernon, Indiana 47265 satisfies the criteria to operate under the Permit by Rule provisions.

Pursuant to 326 IAC 2-10 (Permit by Rule), this source shall comply with the following conditions:

- (a) The source's total actual emissions for every 12-month period shall be limited to less than 20% of any threshold for the following:
 - (1) A major source of regulated air pollutants.
 - (2) A major source of hazardous air pollutants, as defined in Section 112 of the Clean Air Act. [326 IAC 2-10-3(1)]
- (b) The source shall not rely on air pollution control equipment to comply with the above-mentioned limitations. [326 IAC 2-10-3(2)]
- (c) Not later than thirty (30) days after receipt of written request by the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ), or U.S. Environmental Protection Agency (EPA), the owner or operator shall demonstrate that the source is in compliance with the above-mentioned conditions. [326 IAC 2-10-4]
- (d) Compliance demonstration shall be based on actual emissions for the previous 12 months and may include, but is not limited to, fuel or material usage or production records. No other demonstration of compliance shall be required. [326 IAC 2-10-4]

This source is hereby notified that this Permit by Rule approval does not relieve the source of the responsibility to comply with the provisions of any applicable federal, state, or local requirements, such as New source Performance Standards (NSPS), 40 CFR Part 60, or National Standards for Hazardous Air Pollutants (NESHAP), 40 CFR Part 61. [326 IAC 2-10-5]

Any change or modification which will alter operations in such a way that the source will no longer comply with 326 IAC 2-10 (Permit by Rule), must obtain the appropriate approval from the OAQ under 326 IAC 2-1.1, 326 IAC 2-2, 326 IAC 2-3, 326 IAC 2-7, 326 IAC 2-8, or 326 IAC 2-9 before such change may occur. This source may at any time apply for a state operating permit under 326 IAC 2-6.1, a Part 70 permit under 326 IAC 2-7, a FESOP under 326 IAC 2-8, or an operating agreement under 326 IAC 2-9, as applicable. [326 IAC 2-10-1(b)]

Any violation of 326 IAC 2-10 (Permit by Rule) may result in administrative or judicial enforcement proceedings under IC 13-30-3 and penalties under IC 13-30-4.

Pursuant to Contract No. A305-0-00-36, IDEM, OAQ has assigned the processing of this application to Eastern Research Group, Inc., (ERG). Therefore, questions should be directed to Tracy DeHaven Parham, ERG, 1600 Perimeter Park Drive, Morrisville, North Carolina 27560, or call (919) 468-7901 to speak directly to Ms. Parham. Questions may also be directed to Duane Van Laningham at IDEM, OAQ, 100 North Senate Avenue, P.O. Box 6015, Indianapolis, Indiana, 46206-6015, or call (800) 451-6027, and ask for Duane Van Laningham, or extension 3-6878, or dial (317) 233-6878.

Sincerely,

Original signed by
Paul Dubenetzky, Chief
Permit Branch
Office of Air Quality

ERG/TDP

cc: File - Jennings County
Jennings County Health Department
Air Compliance Section Inspector - Patrick Burton
Technical Support and Modeling – Michele Boner